

ETHICS MANAGEMENT POLICY

2025/2026



public works & roads

Department:
Public Works and Roads

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1. INTRODUCTION

The Department of Public Works and Roads has adopted a policy of zero tolerance towards fraud and corruption, hence it is committed to the fight against unethical behaviour which leads to fraud and corruption.

Ethics is about distinguishing between what is morally right and wrong with the purpose of doing what is right. In an ethical organisation employees will do the right thing for the right reason- not just because the rule says so. Rules and procedures influence individuals' behavior, but values are what change the culture within the Department.

The Honorable MEC of the Department of Public Works and Roads, the Accounting Officer, members of senior management, and all employees of the Department are expected to uphold the highest standards of conduct and work ethics. The Department expects that all individuals, organisations, and third parties associated with and doing business with it will act with integrity and without intent to participate in unethical behavior, fraud, and corruption.

2. PURPOSE AND OBJECTIVES

This Ethics Policy helps clarify the Department's standard of ethical conduct. It makes clear that the Department expects employees to understand the ethical considerations associated with their actions. The Ethics Policy affirms our long-standing commitment to not merely obey the law, but also to conduct our business with integrity and without deception.

The Ethics Policy reflects the high standard of business conduct as well as its zero-tolerance stance to fraud and corruption representing what is the hallmark of our Department. The Ethics Policy helps define our commitment to support a culture of openness, trust, and integrity in all we do. We are committed to conducting all of the Department's affairs and activities with the highest standard of ethical conduct.

3. LEGISLATIVE FRAMEWORK

- Constitution of the Republic of South Africa, 1996
- Public Service Act, 1994 (Proclamation No 103 of 1994)
- Public Administration Management Act, 2014 (Act No 11 of 2014 (PAMA))

In addition, the Ethics Policy has been formulated in conjunction with the following relevant legislation, regulations, and standards:

- Public Finance Management Act 1 of 1999;
- Treasury Regulations Issued in terms of the PFMA;
- Protected Disclosure Act 26 of 2000;
- Prevention and Combating of Corrupt Activities Act 12 of 2004 (PRECCA);
- Public Service Act 103 of 1994;
- DPSA Minimum Anti-Corruption Capacity Requirements;
- DPSA Public Service Integrity Management Framework;
- Promotion of Administrative Justice Act 3 of 2000;
- Promotion of Access to Information Act 2 of 2000;
- Prevention of Organised Crime Act 121 of 1998;
- National Prosecuting Authority Act 32 of 1998;
- Financial Intelligence Centre Act 38 of 2001;
- Criminal Procedure Act 51 of 1977;
- Protection of Personal Information Act 4 of 2013;
- Minimum Information Security Standards Act 68 of 1995; and
- National Strategic Intelligence Act 38 of 1994.
- Public Service Regulations (PSR) 2016 Section 22, 23 and 24.

4. DEFINITION OF ETHICS, CORRUPTION AND FRAUD

Ethics can be defined around the three core concepts of the 'good', the 'self', and the 'other'. Ethics implies that one is ethical when one does not only consider what is good for oneself but also consider whether what is 'good' for the 'self' is also good for 'others' (Rossouw & Van Vuuren, 2017:5) as illustrated in the diagram below:

Figure 1: Core Concepts in the definition of ethics (Rossouw & Van Vuuren, 2017:5)



Corruption in its wider meaning includes any conduct or behavior where a person accepts, agrees, or offers any gratification for him/herself or for another person where the purpose is to act dishonestly or illegally. Such behavior also includes the misuse of material or information, abuse of a position of authority breach of trust, or violation of duty. Fraud and Corruption take various forms. The following are examples of different types of fraudulent or corrupt activities:

- Bribery - involves a promise, offering, or giving of a benefit that improperly affects the actions or decisions of a public servant. Example: An employee/official in the procurement department accepts a bribe to ensure the awarding of the tender to a specific supplier.
- Extortion - involves coercing a person or entity to provide a benefit to a public servant, another person, or an entity in exchange for acting or failing to act in a particular manner
- Abuse of power - involves a public servant using her/his vested authority to improperly benefit another public servant, person, or entity, or to improperly discriminate against another
- Example: Promoting a "favourite" employee without following the regulated processes
- Conflict of Interest - involves a public servant acting or failing to act on a matter where the public servant, or another person or entity that stands in a relationship with the public servant, has an interest. Example: singling out a specific person/company for the award of a contract or flouting the tender process to benefit himself or his partner/relative (who may be the director of the company).
- Abuse of privileged information - involves the use of privileged information and knowledge that the public service possesses because of his/her office to provide unfair advantage to another person or entity. Example: A public servant gives out privileged information to a friend regarding a contract in which the friend has an interest so that the friend can be awarded the contract.

- Favouritism - involves the provision of services or resources, or the awarding of tenders, by the public servant to favour one supplier ahead of a more deserving supplier. Example: Using ethnic, religious, or political grounds to award a contract
- Nepotism - involves giving preferential consideration by a public servant to his/her relative ahead of more deserving persons. Example: Appointments of friends, and relatives in posts at the Department.

Fraud- In South Africa, the common law offense of fraud is defined as “the unlawful and intentional making of a misrepresentation which causes actual and or potential prejudice to another”. The term “fraud” is also used in a wider sense by the general public. In this document, the term is used in its widest possible sense and is intended to include all aspects of economic crime and acts of dishonesty (including the legal definitions of fraud, theft, and corruption).

5. SCOPE OF THE POLICY

All stakeholders with whom the Department interacts are expected to abide by the principles contained in the Policy. The Ethics Policy applies to:

- Public servants (employees of the Department);
- Suppliers, contractors, and providers of goods and services;
- Users of services/customers;
- Stakeholders, labour, and social societies; Media, Religious Organisations; and
- All other persons with links to the Department.

6. CREATING AN ETHICAL CULTURE

To reduce the motivation for and rationalisation of unethical behaviour and corruption, the Department is committed to creating an ethical culture and to providing guidance to its employees with regards to ethical conduct. Ethical conduct is about distinguishing between what is morally right and wrong with the purpose of doing what is right.

Our employees are expected to fulfil their obligations and conduct themselves to the highest ethical standards, which refer to the moral values and qualities of integrity and honesty. The failure to uphold these standards often gives rise to allegations of corruption and maladministration. The values and principles adopted by the Department are also espoused in Section 195 of the Constitution.

The Department adopts the model for ethics management in organisations, as developed by The Ethics Institute, which features ethics codes and policies as a prominent and indispensable step in the ethics management process as illustrated in the diagram below:

Figure 2: The Management of Ethics



The Ethics Institute: Codes of Ethics Handbook: Deon Rossouw and Leon Van Vuuren; 2020
 The Department's leadership shall provide effective leadership based on an ethical foundation. Ethical Leaders should:

- Undertake their operations with the highest integrity
- Take account of the Department's impact on internal and external stakeholders
- Ensure that all deliberations, decisions, and actions are based on the values underpinning good governance: Responsibility, Accountability, Fairness, and Transparency.

The Department's leadership ensures that the Department is, and is seen to be, a responsible Department through:

- Considering not only financial performance but also the impact of the Department's operations on the community and the environment – through more comprehensive integrated reporting;
- Protecting, enhancing and investing in the well-being of communities, the economy, and the environment;
- Ensuring that the Department's performance and interaction with its stakeholders is guided by the Constitution and Batho Pele principles;
- Ensuring that collaborative efforts with stakeholders are embarked upon to promote ethical conduct and good citizenship;
- Ensuring that measurable citizenship programmes are implemented.

7. ETHICS FUNCTIONS AND RESPONSIBILITIES

The department is required to create and promote an ethical organizational culture and to provide guidelines to support the conduct of each employee. The leadership of the department should indicate an ethical commitment by setting up formal ethics structures with delegated authority from the Accounting Officer, these include the Ethics Champion, Ethics Committee also known as the Risk Management Committee, and Ethics Officers and Ethics Office.

Strong ethical leadership paves the way for voluntary submission to a moral code of integrity that goes beyond strict legal prescripts. According to Principle 1.2 of the King IV Report on corporate governance, the ethical tone of the department should be set at the top and the executive management should develop strategic objectives rooted within the ethical values upheld by the department.

The following diagram depicts the ethics functions within the Department as stipulated in the Public Service Regulations (PSR) 2016. The summary of the roles and responsibilities is provided in the table as follows.



The key components of the Department's ethics structure summary of the roles and responsibilities as follows:

ROLES AND RESPONSIBILITIES FOR ETHICS STRUCTURES		
NO.	ROLE PLAYER	SUMMARISED ROLES AND RESPONSIBILITIES
1.	Ethics Champion	• Strongly advocates for the ethics cause by driving the department's ethics management programme and ensuring that it retains momentum in the Department.
		• Obtaining assurance on the management of ethics, fraud, and corruption risks within the Department.
		• Ensuring the coordination and integration of the department's ethics initiative with other related initiatives (such as anti-corruption, policy development, compliance, risk management, and service delivery plans);
		• Ensuring procedures are in place to investigate misconduct.

		<ul style="list-style-type: none"> • Providing the strategic direction and oversight for the ethics and anti-corruption strategies/ mechanisms in the Department.
2.	Fraud and Ethics Committee also known as Risk Management Committee	<ul style="list-style-type: none"> • Review and monitor the implementation of the Ethics Management Strategy for the prevention and deterrence of unethical conduct and acts of corruption. • Review Fraud Prevention Plan, Fraud Prevention Policy, Ethics Strategy, Ethics Strategy and fraud and ethics-related documents for recommendation for approval by the Accounting Officer • Analyze, & monitor fraud, ethics, and corruption risks identified for the Department. • Evaluate the effectiveness of ethics, fraud, and corruption risks mitigating strategies implemented to address the risks. • Monitor the effectiveness of the system that encourages employees and citizens to report allegations of fraud, corruption, and unethical conduct. The system is in line with the requirements of Regulation 23 of the Public Service Regulations, 2016, Section 22 (c) and (d). • Monitor communication and training and awareness initiatives for fraud, ethics, and corruption. • The process is implemented by management in respect of fraud prevention and ensures that all fraud-related incidents have been followed up appropriately and reports of fraud and misconduct are effectively handled. • Consistent and appropriate action is taken on known incidents of fraud and misconduct • Ensure reporting of the institution's fraud, ethics, and corruption prevention, detection, and corrective as and when required by oversight bodies. • Evaluate the extent and effectiveness of ethics policies and anti-corruption strategies within the Department.
3.	Ethics Office	<ul style="list-style-type: none"> • Custodian of ethics and anti-corruption programmes within the department. • Responsible for the day-to-day ethics management functions in the department • The secretariat to the Ethics Committee also known as the Risk Management Committee responsible for the following functions: <ul style="list-style-type: none"> a) Implementation of ethics and anti-corruption programmes/measures; b) Provide reports on all ethics and anti-corruption functions to the Ethics Committee; c) Advice the Ethics Committee also known as the Risk Management Committee on matters before its agenda for informed decision-making. d) Keep the diary of the Ethics Committee; e) Organize and attend meetings and other important events; and f) Escalate ethics matters to the Ethics Committee. • Facilitate ethics and anti-corruption training and awareness within the Department. • Assist management with the review, update, maintenance, and performance of the ethics, fraud, and corruption risk assessments.
4.	Ethics Officers	<ul style="list-style-type: none"> • Assist management with the review, update, maintenance, and performance of the ethics, fraud, and corruption risk assessments.

		<ul style="list-style-type: none"> Ethics officers as outlined by Public Service Regulations (PSR) 2016 Section 23 (1) (a) to (e) have the following functions: <ul style="list-style-type: none"> (a) Promote integrity and ethical behavior in the department; (b) Advise employees on ethical matters; (c) Identify and report unethical behavior and corrupt activities to the Head of the Department; (d) Manage the financial disclosure system; and (e) Manage the process and systems relating to remunerative work performed by employees outside their employment in the relevant Department.
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The table below provides a summary of the roles and responsibilities of other ethics management stakeholders within the Department.

DEPARTMENTAL ROLES VARIOUS STAKEHOLDERS		
NO.	ROLE PLAYER	SUMMARISED ROLES AND RESPONSIBILITIES
1.	Executive Authority(EA/MEC)	<ul style="list-style-type: none"> Ensuring that the department's ethics strategies are aligned to provincial anti-fraud and anti-corruption strategies.
		<ul style="list-style-type: none"> Providing leadership, support, and ensuring commitment to the promotion of an ethical culture in the Department.
		<ul style="list-style-type: none"> Obtaining assurance on the management of ethics, fraud, and corruption risks within the Department.
		<ul style="list-style-type: none"> The Executive Authority (EA) is required to designate ethics officers as outlined by Public Service Regulations (PSR) 2016 Section 23 (1).
2.	Accounting Officer/ Head of The Department (Here in the Ethics Champion)	<ul style="list-style-type: none"> Setting an appropriate tone for the effective management of ethics and anti-corruption strategies within the Department.
		<ul style="list-style-type: none"> Approving ethics policies and ethics management-associated documents.
		<ul style="list-style-type: none"> Establishing an Ethics Committee also known as the Risk Management Committee or designate an existing committee, chaired by a Deputy Director General, to provide oversight on ethics management in the Department according to Public Service Regulations (PSR) 2016 Section 23 (2).
		<ul style="list-style-type: none"> This function has been delegated to the independent member of the Risk Management Committee Performing the ethics and corruption functions as outlined below from the Public Service Regulations (PSR) 2016 Section 22:

		<p>Section 22. Anti-corruption and ethics functions.</p> <p>A head of department shall</p> <p>a) Analyse ethics and corruption risks as part of the department's system of risk management; (b) Develop and implement an ethics management strategy that prevents and deters unethical conduct and acts of corruption; (c) Establish a system that encourages and allows employees and citizens to report allegations of corruption and other unethical conduct, and such system shall provide for i) Confidentiality of reporting; and (ii) The recording of all allegations of corruption and unethical conduct received through the system or systems; (d) Establish an information system that i) Records all allegations of corruption and unethical conduct; (ii) Monitors the management of the allegations of corruption and unethical conduct; (iii) Identifies any systemic weaknesses and recurring risks; and (iv) Maintains records of the outcomes of the allegations of corruption and unethical conduct; and (e) Refer allegations of corruption to the relevant law enforcement agency and investigate whether disciplinary steps must be taken against any employee of the department and if so, institute such disciplinary action.</p>
3.	Audit Committee / EID Cluster	<ul style="list-style-type: none"> • Provide independent and objective views of the department's ethics and anti-corruption mechanisms effectiveness. • Ensuring that internal and external audit plans take into consideration the ethics, fraud, and corruption risk profiles of the Department.
4.	Business Unit/ Programme Managers	<ul style="list-style-type: none"> • Ensure the identification, management, and monitoring of ethics, fraud, and corruption risks within their operational areas. • Promotion of a vibrant ethical culture within the Department. • Holding employees accountable for their specific ethics management responsibilities.(i.e. financial disclosures, conflict of interest disclosures, declaration of gifts, application for approval for other remunerative work outside the public practice etc.) • Ensuring that an adequate system of internal controls exists within their areas of responsibility and that controls operate effectively;
5.	Other Employees	<ul style="list-style-type: none"> • Inform their supervisors and /or Organisational Risk Integrity management unit of emerging, new risks and significant changes in ethics, fraud, and corruption risks. • Co-operate with other role players in the ethics management process and provide information as required. • Conducting themselves to the highest ethical standards in adherence to the ethical culture of the Department.

8. ETHICS MANAGEMENT

Ethics Management sets the platform for systems that promote acceptable behaviour and the right attitude in employees' performance of their official duties within the Department. The Department's interventions to instil and maintain an ethical culture include setting a clear ethical tone through strong leadership, establishing ethics structures and assigning responsibilities, implementing the ethics management process, conducting independent assessments of the ethics management systems, and establishing an ethical culture. The ethics management process includes the following aspects:

8.1 FRAUD AWARENESS

The Department will also implement various means of communicating the fraud prevention initiatives, including the following:

- Develop a poster campaign aimed at all stakeholders to popularise the Department's stance against fraud and its expectations concerning ethics and integrity of all stakeholders.
- Conducting Ethics Fraud, and Corruption Prevention Awareness Workshops/ Campaigns within the Department
- Circulating the Ethics Policy, Ethics Strategy Fraud Prevention Plan, and related documents on the Department's intranet

8. ETHICS, FRAUD AND CORRUPTION RISK ASSESSMENTS

The Department has adopted the following risk management process, which will be utilized in compiling ethics, fraud, and corruption risk registers as set out in the department's Risk Management Policy:

STEPS	PROCESS	MINIMUM RISK MANAGEMENT STANDARD
Step 1	Communication & Consultation	Appropriate communication and consultation processes must be used to communicate relevant risk information to officials and stakeholders to equip them to identify, assess and respond to risks.
Step 2	Establish the Context	Proper context for the identification and assessment of risks must be established.
Step 3	Risk Identification	Risk must be identified through a documented, rigorous, inclusive, and ongoing process.
Step 4	Risk Analysis	Risks must be quantified and prioritized through a systematic risk assessment process.
Step 5	Risk Evaluation	The purpose of risk evaluation is to support decisions. Risk evaluation involves comparing the results of the risk analysis with the established risk criteria to determine where additional action is required.
Step 6	Risk Response	Appropriate response strategies must be developed and evaluated to reduce or eliminate threats and events that create risks.
Step 7	Monitoring & Evaluation	The entire risk management system must be periodically reviewed and evaluated to ensure continual improvements.

The Department acknowledges the fact that it faces diverse ethics, fraud, and corruption risks from both internal and external environments.

SCOPE	KEY ACTIVITIES	COMMENTS
Ethics, Fraud and Corruption Survey and Risk Assessment		

Ethics, Fraud, and Corruption Risk Assessment / Workshop	<p>A preliminary ethics, fraud, and corruption risk register will be developed based on research, the results of the ethics, fraud, and corruption survey, implemented, and various sources such as the internal and external audit reports.</p> <p>The research is meant to collate information relating to the prevalence of ethics-related risks and associated ethics-related practices.</p>	Identification of ethics, fraud, and corruption risks will lead to the development of the draft ethics, fraud, and corruption risk register.
	A risk assessment workshop will be held.	The final risk register is tabled with the Department's Fraud and Ethics Committee also known as the Risk Management Committee for recommendation and approval by the HOD.
	Risk owners are identified, and the results of the risk assessments are documented in a risk register.	

9. REPORTING PROCEDURES AND RESOLUTION OF REPORTED INCIDENTS

What should employees do if they suspect unethical behaviour, corruption, and fraud? It is the responsibility of all employees to immediately report all allegations or incidents of fraud to their immediate manager or, if the employee has reason to believe that his/her immediate manager is involved, to the next level of management. All managers must report all incidents and allegations of fraud to the Head of Department or to the Risk Management Unit within the department.

What should a member of the public do if they suspect unethical behaviour, corruption and fraud impacting DPWR? Should a member of the public wish to report allegations of fraud anonymously, they can contact any member of management, or Should a member of the public wish to report allegations of fraud anonymously, they can contact any member of management or **the National Anti-Corruption Fraud Hot-line (PSC) toll-free number: 0800 701 701 or SMS to 39772**, Crime Stop, a toll-free hotline run by the SAPS: 08600 10111 /10 111, The Public Protector toll-free: 0800 11 20 40 and/ or Special Investigations Unit: siu@thehotline.co.za or 0800 037 774 or SMS 30916.

DPWR encourages members of the public who suspect fraud impacting it to contact the Head of Department or the Fraud Hotline on the toll-free number using the contact details provided in the paragraph above.

How will allegations of unethical behaviour, corruption, and fraud be dealt with by DPWR /Response? For issues raised by employees or members of the public, the action taken by the Department will depend on the nature of the concern. The matters raised may:

- Be referred to Forensic Services based at the Office of the Premier;
- Be referred to the SAPS or any other law enforcement agency

All supervisors and management within DPWR have advisory and supporting assistance from units which include the following:

- Organisational Risk and Integrity Management Unit within the Department;
- Provincial Internal Audit Unit (within the North West Provincial Treasury);
- Human Resources Management;
- Forensic Services, Office of the Premier;
- Legal Services;
- Labour Relations;
- The Office of the Auditor-General; and
- The Public Protector.





10. CONFIDENTIALITY

All information relating to unethical conduct that is received and investigated will be treated confidentially. The progression of investigations will be handled confidentially and will not be disclosed or discussed with any person(s) other than those who have a legitimate right to such information. This is important to avoid harming the reputations of suspected persons who are subsequently found innocent of wrongful conduct. No person is authorized to supply any information concerning allegations or incidents of unethical conduct to the media or public without the express permission of the Accounting Officer.

11. IMPLICATIONS OF NON-COMPLIANCE WITH THE POLICY

Where evidence is available, following an investigation into the allegations received, appropriate action will be taken against the implicated persons within the confines of the law. Appropriate actions may include but are not limited to:



- Disciplinary proceedings in accordance with the Disciplinary Code and Procedures contained in GPSSBC Collective Agreement No.2 of 1999 for Salary levels 12 and below, and the Senior Management Service, Chapter 7 Handbook for SMS members.
- Referral to the South African Police Services where evidence suggests that a criminal offense may have been committed;
- Civil recovery where evidence available suggests that the DPWR suffered losses due to the conduct of the implicated.

12. POLICY REVIEW

The Ethics Policy will be reviewed and updated annually or as circumstances dictate.

13. POLICY MAINTENANCE

This Policy is recommended by the Risk Management Committee and approved by the Head of Department.

DESIGNATION	NAME	SIGNATURE	DATE
RECOMMENDATION			
Risk Management Committee Chairperson	Mr. M. Buwa		18 March 2025
Approval			
Head Of Department	Mr. M.I. Kgantsi		25/04/25

